

EXHIBIT 9

**DECLARATION OF MEREDITH B. ROSENTHAL, PH.D. RELATED TO PROPOSED ALLOCATION PLAN
AND NET SETTLEMENT FUND ALLOCATION**

**United States District Court, District of Massachusetts, *In Re Ranbaxy Generic Drug Application
Antitrust Litigation*, MDL No. 19-md-2878-NMG.**

April 21, 2022

I. INTRODUCTION

1. My name is Meredith B. Rosenthal. I am the C. Boyden Gray Professor of Health Economics and Policy at the Harvard T.H. Chan School of Public Health and an Academic Affiliate of Greylock McKinnon Associates (“GMA”), a consulting and litigation support firm. My principal research interests concern the economics of the health care industry. My credentials have been previously submitted to the Court with my declarations in support of class certification in this matter.

2. I have been asked by counsel for Direct Purchaser Plaintiffs (DPPs or Plaintiffs) in this matter to propose a fair and straightforward method for allocating the settlement funds to the direct purchaser Claimants.¹ As I outline in detail below, this is done using the data and damage calculations I presented in my previous declarations in this matter.²

II. ANALYSIS

3. The allocation process involves a series of simple calculations based on my previous damage results. The calculations will be made by reference to each Claimant’s combined total net purchases made during the following time periods:

a. Diovan and valsartan: September 21, 2012 through December 31, 2014.

¹ A “Claimant” is any entity that timely submits a completed proof of claim and release form (“Claim Form”). A Claimant’s percentage share will be zero if that Claimant timely submits a Claim Form but that claim is rejected because, for example, the Claimant did not purchase brand or generic versions of Diovan, Nexium, and/or Valcyte directly from any brand or generic manufacturer during the relevant time periods and does not have a valid assignment covering any such direct purchases.

² Declaration of Meredith Rosenthal in Support of the Certification of the Class of Direct Purchasers of Diovan, Nexium, and Valcyte, *In Re Ranbaxy Generic Drug Application Antitrust Litigation*, MDL No. 19-md-2878-NMG, November 2, 2020 (hereafter, Rosenthal Class Declaration); Errata for Declaration of Meredith Rosenthal in Support of the Certification of the Class of Direct Purchasers of Diovan, Nexium, and Valcyte, *In Re Ranbaxy Generic Drug Application Antitrust Litigation*, MDL No. 19-md-2878-NMG, January 13, 2021 (hereafter, Rosenthal Errata); and Rebuttal Declaration of Meredith Rosenthal in Support of the Certification of the Class of Direct Purchasers of Diovan, Nexium, and Valcyte, *In Re Ranbaxy Generic Drug Application Antitrust Litigation*, MDL No. 19-md-2878-NMG, March 22, 2021 (hereafter, Rosenthal Rebuttal Declaration).

b. Nexium and esomeprazole magnesium: May 27, 2014 through December 31, 2015.

c. Valcyte and valganciclovir: August 1, 2014 through February 29, 2016.

4. First, using my previous damage calculations, I determine the average overcharge per pill for brand purchases and generic purchases for each drug. Then, I calculate the ratio of the average generic overcharges per pill to the average brand overcharges per pill. This will result in the weighting factor that will be applied to generic purchases. Next, I multiply the ratio of the previous step by the generic purchases in terms of total pills for each Claimant. Finally, I sum up all brand pills purchased and all weighted generic pills purchased for each Claimant, net of any returns or other adjustments (such as assignments to other DPPs), and calculate each Claimant's resulting share of total pill purchases. This results in the pro rata share of the settlement amount for each Claimant. This is a reasonable proxy of each customer's share of the total settlement amount; a customer with greater purchases would be entitled to proportionately greater settlement amounts. This process is done separately for each of the drugs at issue (Diovan and valsartan; Nexium and esomeprazole magnesium; and Valcyte and valganciclovir). I understand that the settlement fund will be split among the drugs as follows: 50% to Diovan, 45% to Nexium, and 5% to Valcyte. More detail for each step is provided below.

5. For the first step, I refer to the total damages calculated for each drug in my prior declarations. Since the price differential between actual and but-for prices for brand purchases is different than that for generic purchases, it makes sense to calculate a relative weight for overcharges based on generic purchases as compared to overcharges based on brand purchases. In other words, instead of counting brand purchases and generic purchases equally for the purposes of allocation, this methodology takes into account any divergence between the average brand overcharge and the average generic overcharge.

6. These ratios are calculated as follows.

a. For Diovan and valsartan, average overcharges for Diovan purchases are \$2.38 per pill, and average overcharges for generic purchases are \$2.03 per pill.³ The

³ See Rosenthal Rebuttal Report, Attachment C.5. The average brand overcharge per pill is calculated by taking total Brand-Generic and Brand-Brand damages divided by the total volume of brand pills purchased. The average

resulting ratio of average generic overcharges per pill to average brand overcharges per pill is 0.85 (i.e., $\$2.03 / \$2.38 = 0.85$).

- b. For Nexium and esomeprazole magnesium, average overcharges for Nexium purchases are \$2.66 per pill, and average overcharges for generic purchases are \$3.53 per pill.⁴ The resulting ratio of average generic overcharges per pill to average brand overcharges per pill is 1.33 (i.e., $\$3.53 / \$2.66 = 1.33$).
- c. For Valcyte and valganciclovir, average overcharges for Valcyte purchases are \$31.75 per pill, and average overcharges for generic purchases are \$4.96 per pill.⁵ The resulting ratio of average generic overcharges per pill to average brand overcharges per pill is 0.16 (i.e., $\$4.96 / \$31.75 = 0.16$).

7. Finally, I tally up the total brand pill purchases and the total adjusted generic pill purchases for each Claimant, arriving at a grand total for each molecule (i.e., Diovan plus valsartan; Nexium plus esomeprazole magnesium; and Valcyte plus valganciclovir).⁶ I then calculate the pro rata share of total pills sold for each Claimant by dividing the Claimant's total purchases by the combined total purchases of all Claimants. This is each Claimant's share of the settlement amount for each molecule.

8. Note that for Diovan and Nexium, I calculated both brand-brand and brand-generic overcharges.⁷ This means that it is appropriate to include all brand pill purchases in the pro rata share calculation. However, for Valcyte, there are only brand-generic overcharges and no brand-brand overcharges. As such, the purchase volume that would have remained brand Valcyte in

generic overcharge per pill is calculated by taking the total Generic-Generic damages divided by total generic pills purchased.

⁴ See Rosenthal Rebuttal Report, Attachment D.5. The ratios are calculated in the same way as outlined in footnote 3 above.

⁵ See Rosenthal Rebuttal Report, Attachment E.3. The ratios are calculated in the same way as outlined in footnote 3 above. However, for Valcyte, the brand average overcharge is based only on those brand sales that would have switched to the generic in the but-for world according to my market share yardstick.

⁶ For this, I use the same customer lists I provided in my previous reports, only I have replaced unit (i.e. bottle) volumes with pill volumes. For reference, see Rosenthal Class Declaration, Attachment F.1, Rosenthal Rebuttal Declaration, Attachment F.3 and Rosenthal Errata, Attachment F.4.

⁷ As a reminder, recall that "brand-generic" damages refer to actual brand purchases that would have been a lower-priced generic purchase in the but-for world. "Brand-brand" damages refer to actual brand purchases that would also have been brand purchases in the but-for world, but at a lower price. And "generic-generic" damages refer to actual generic purchases that would have also been generic in the but-for world, but at a lower price.

the but-for world should not be considered in the pro rata share calculation. To account for this, I calculate the percentage of total brand Valcyte sales that would have switched to the generic according to my damages model, and I apply this ratio to the brand Valcyte pill volume purchased by each Claimant when I calculate their pro rata share outlined above.

9. Note that these calculations are based on the same manufacturer sales data that were used in my damage calculations. These data allow me to calculate each Claimant's total purchases made directly from the relevant brand or generic manufacturers in terms of pills net of returns or any other adjustments. These calculations can be used to pre-populate Claim Forms mailed to DPPs. However, note that the amount would decrease if a Claimant grants any assignments.

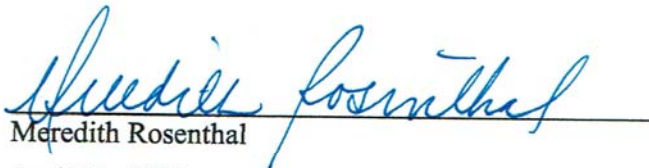
10. I have also been asked to calculate pro rata shares for Meijer based on its assignments from the DPP wholesalers F.W. Kerr and McKesson. To do this, I use data provided by Meijer. I subtract the total pill volume from the Meijer data from the total pill volumes calculated for F.W. Kerr or McKesson based on the manufacturing sales data. This, in effect, reduces the pro rata share for F.W. Kerr and McKesson and increases the pro rata share of Meijer. The shares of all other Claimants remain constant.

11. I understand that additional assignments may come forward during the allocation process. As they do, I can review any data relating to assignments and make the necessary adjustments to my calculations. This would be done in the same way as described above. The assignee's pill volume would be deducted from the assignor's, and the resulting shares for assignee and assignor would be recalculated. Again, all other claimants' shares would remain unchanged.

12. I also understand that Claimants will have the option to submit their own purchase data. To the extent submissions from individual Claimants differ from the data produced in discovery, I will review any submitted data and documentation and confer with the settlement administrator in order to recalculate and finalize the pro rata share calculations. In my final calculations, I will also account for the extent to which not all DPPs file Claim Forms (which would cause the pro rata shares of Claimants who do file timely, valid Claim Forms to increase). My final calculations will assign pro rata shares only to those Claimants who submit a valid, accepted Claim Form.

13. The initial calculations for all customers and all drugs are tallied in Tables 1 through 3, which are attached to the end of this declaration. It is my opinion that this allocation method is

practical and efficient. It utilizes the same transactional manufacturer sales data that have been produced in discovery in this matter and that I have previously relied on in my calculation of aggregate overcharges. Since this method relies on actual transactional sales data showing Claimants' actual purchases of these drugs, it represents a reasonable method for reimbursing Claimants based on the type (brand purchases or generic purchases) and extent (unit pill volume purchased) of their injuries.


Meredith Rosenthal

April 21, 2022

Table 1: Diovan and Generic Valsartan DPP Share of Settlement Based on Pills Sold

Through December 31, 2014; Diovan sales begin September 21, 2012

	Customer Name	Brand Pills	Generic Pills	Weighted Generic Pills	Total Weighted Pills	Share of Total Weighted Pills (%)
1	Advantage Logistics	0	220,320	187,709	187,709	0.0139%
2	Albertsons	0	1,738,800	1,481,427	1,481,427	0.1097%
3	American Health Packaging	0	549,720	468,352	468,352	0.0347%
4	American Sales Company, Inc.	0	1,158,120	986,698	986,698	0.0731%
5	AmerisourceBergen Corporation	314,011,380	31,125,750	26,518,594	340,529,974	25.2242%
6	Anda, Inc.	2,816,120	8,372,160	7,132,934	9,949,054	0.7370%
7	American Associated Pharmacies, Inc.	0	373,680	318,369	318,369	0.0236%
8	Auburn Pharmaceutical	0	179,280	152,743	152,743	0.0113%
9	Bellco Drug Corporation	4,493,880	747,360	636,738	5,130,618	0.3800%
10	Bloodworth Wholesale Drugs	0	120,960	103,056	103,056	0.0076%
11	Burlington Drug Company	482,400	62,730	53,445	535,845	0.0397%
12	Capital Wholesale Drug Co.	16,650	43,200	36,806	53,456	0.0040%
13	Cardinal Health	320,328,870	21,514,830	18,330,258	338,659,128	25.0856%
14	Catamaran Corporation	0	866,160	737,953	737,953	0.0547%
15	Cesar Castillo, Inc.	170,520	0	0	170,520	0.0126%
16	CVS Caremark	0	25,300,080	21,555,225	21,555,225	1.5967%
17	CVS Pharmacy	0	12,852,000	10,949,679	10,949,679	0.8111%
18	Dakota Drug, Inc.	1,803,830	164,160	139,861	1,943,691	0.1440%
19	Dik Drug Company	651,960	0	0	651,960	0.0483%
20	Discount Drug Mart	0	97,200	82,813	82,813	0.0061%
21	DMS Pharmaceutical Group, Inc.	9,000	0	0	9,000	0.0007%
22	Drogueria Betances	2,447,580	203,040	172,987	2,620,567	0.1941%
23	Drugs Unlimited, Inc.	0	101,520	86,493	86,493	0.0064%
24	Express Scripts	0	26,043,630	22,188,717	22,188,717	1.6436%
25	Frank W. Kerr Company	1,862,640	76,680	65,330	1,927,970	
	Meijer Assignment	792,270	0	0	792,270	
	Frank W. Kerr Net of Assignments	1,070,370	76,680	65,330	1,135,700	0.0841%
26	Genetco, Inc.	0	66,960	57,049	57,049	0.0042%
27	Giant Eagle	0	840,780	716,330	716,330	0.0531%
28	Great Lakes Wholesale Drug	94,680	0	0	94,680	0.0070%
29	H.D. Smith	12,808,040	1,755,360	1,495,536	14,303,576	1.0595%
30	HEB Grocery Company	0	910,080	775,372	775,372	0.0574%
31	Independent Pharmacy Cooperative	0	77,760	66,250	66,250	0.0049%
32	J M Smith Corporation	0	3,030	2,582	2,582	0.0002%
33	Keysource	0	82,080	69,931	69,931	0.0052%
34	KPH Healthcare Services	0	243,930	207,824	207,824	0.0154%
35	Kroger	0	4,382,640	3,733,933	3,733,933	0.2766%
36	Louisiana Wholesale Drug Co.	763,560	272,160	231,876	995,436	0.0737%
37	Masters Pharmaceutical	0	2,179,440	1,856,845	1,856,845	0.1375%
38	McKesson Corporation	491,530,580	25,236,990	21,501,473	513,032,053	
	Meijer Assignment	1,235,580	56,940	48,512	1,284,092	
	McKesson Net of Assignments	490,295,000	25,180,050	21,452,962	511,747,962	37.9069%
39	Meijer Companies	0	306,540	261,167	261,167	
	Frank W. Kerr Assignment	792,270	0	0	792,270	
	McKesson Assignment	1,235,580	56,940	48,512	1,284,092	
	Meijer Grand Total	2,027,850	56,940	48,512	2,076,362	0.1538%
40	Miami-Luken, Inc.	443,280	56,160	47,847	491,127	0.0364%
41	Morris & Dickson Co.	9,003,880	938,880	799,909	9,803,789	0.7262%
42	Mutual Drug	4,487,040	462,240	393,820	4,880,860	0.3615%
43	Omnicare, Inc.	0	1,423,440	1,212,746	1,212,746	0.0898%
44	OptumRx	0	69,120	58,889	58,889	0.0044%

Table 1: Diovan and Generic Valsartan DPP Share of Settlement Based on Pills Sold

Through December 31, 2014; Diovan sales begin September 21, 2012

					Share of Total Weighted Pills (%)
	Customer Name	Brand Pills	Generic Pills	Weighted Generic Pills	Total Weighted Pills
45	Osborn Drugs, Inc.	0	2,160	1,840	1,840
46	PBA Health	324,720	5,067,360	4,317,302	4,642,022
47	Prescription Supply, Inc. (PSI)	68,370	21,600	18,403	86,773
48	Prime Therapeutics	0	1,828,080	1,557,492	1,557,492
49	Publix Super Markets	0	1,464,480	1,247,711	1,247,711
50	Quest Pharmaceuticals, Inc.	0	114,480	97,535	97,535
51	R&S Northeast	81,360	5,400	4,601	85,961
52	Richie Pharmacal Company	0	87,480	74,531	74,531
53	Rochester Drug Cooperative	4,210,200	573,450	488,569	4,698,769
54	Schnuck Markets, Inc.	0	262,080	223,288	223,288
55	Smith Drug Company	9,186,260	1,023,840	872,294	10,058,554
56	The Harvard Drug Group	4,170	447,120	380,938	385,108
57	Top RX	0	427,680	364,376	364,376
58	Valley Wholesale Drug Co.	390,600	354,240	301,806	692,406
59	Value Drug Co.	3,553,920	414,720	353,334	3,907,254
60	Wakefern Food Corporation	0	522,720	445,348	445,348
61	Walmart, Inc.	0	8,468,340	7,214,877	7,214,877
62	Winn-Dixie Stores, Inc.	0	457,920	390,140	390,140
	Total	1,186,045,490	192,455,580	163,968,783	1,350,014,273
					100%

Source: manufacturer transactional sales data.

Table 2: Nexium and Generic Esomeprazole Magnesium DPP Share of Settlement Based on Pills Sold

From May 27, 2014 through December 31, 2015

					Share of Total Weighted Pills (%)	
	Customer Name	Brand Pills	Generic Pills	Weighted Generic Pills	Total Weighted Pills	
1	Albertsons	0	24,985,800	33,173,093	33,173,093	1.9072%
2	Alpine Health	0	1,520,640	2,018,920	2,018,920	0.1161%
3	American Associated Pharmacies, Inc.	0	6,064,560	8,051,782	8,051,782	0.4629%
4	American Sales Company, Inc.	0	1,634,400	2,169,957	2,169,957	0.1248%
5	AmerisourceBergen Corporation	379,008,840	48,044,720	63,787,911	442,796,751	25.4572%
6	Anda, Inc.	668,880	8,271,840	10,982,339	11,651,219	0.6698%
7	Auburn Pharmaceutical	0	1,387,080	1,841,595	1,841,595	0.1059%
8	Bashas' Inc.	0	6,480	8,603	8,603	0.0005%
9	Bellco Drug Corporation	3,080,720	255,600	339,354	3,420,074	0.1966%
10	Belldina's Health Mart Pharmacy	0	1,800	2,390	2,390	0.0001%
11	Big Y Foods, Inc.	0	34,560	45,885	45,885	0.0026%
12	Bloodworth Wholesale Drugs	0	2,353,320	3,124,451	3,124,451	0.1796%
13	BluPax Pharma	0	47,520	63,091	63,091	0.0036%
14	Brookshire Grocery Company	0	98,640	130,962	130,962	0.0075%
15	Burlington Drug Company	466,230	274,080	363,890	830,120	0.0477%
16	Capital Wholesale Drug Co.	25,920	677,880	900,006	925,926	0.0532%
17	Cardinal Health	227,975,300	58,598,280	77,799,639	305,774,939	17.5795%
18	Cesar Castillo, Inc.	3,600	0	0	3,600	0.0002%
19	Cigna	0	1,890,000	2,509,311	2,509,311	0.1443%
20	CVS Caremark	0	27,516,240	36,532,703	36,532,703	2.1003%
21	CVS Health	0	13,841,280	18,376,761	18,376,761	1.0565%
22	CVS Pharmacy	0	63,698,400	84,570,955	84,570,955	4.8621%
23	Dakota Drug, Inc.	1,428,040	807,120	1,071,595	2,499,635	0.1437%
24	Discount Drug Mart	0	95,760	127,138	127,138	0.0073%
25	DMS Pharmaceutical Group, Inc.	320,000	0	0	320,000	0.0184%
26	Drogueria Betances	189,000	799,560	1,061,558	1,250,558	0.0719%
27	Drugs Unlimited, Inc.	0	414,720	550,615	550,615	0.0317%
28	Express Scripts	0	6,515,760	8,650,830	8,650,830	0.4974%
29	Fisher Clinical Services	3,598,560	0	0	3,598,560	0.2069%
30	Frank W. Kerr Company	891,600	243,360	323,104	1,214,704	0.0698%
31	GCP Pharma	0	110,160	146,257	146,257	0.0084%
32	Genetco, Inc.	0	1,279,800	1,699,162	1,699,162	0.0977%
33	Giant Eagle	0	522,000	693,048	693,048	0.0398%
34	Global Pharmaceutical Wholesale	0	7,200	9,559	9,559	0.0005%
35	Guardian Pharmacy	0	32,400	43,017	43,017	0.0025%
36	H.D. Smith	9,283,640	1,457,280	1,934,798	11,218,438	0.6450%
37	Hannaford	0	7,041,600	9,348,976	9,348,976	0.5375%
38	HBC Service Company	0	226,440	300,639	300,639	0.0173%
39	Healthsource Distributors	0	226,560	300,799	300,799	0.0173%
40	HEB Grocery Company	0	1,533,600	2,036,127	2,036,127	0.1171%
41	Hercules Pharmaceuticals, Inc.	0	1,800	2,390	2,390	0.0001%
42	Hometown Pharmacy Partnerships	0	10,800	14,339	14,339	0.0008%
43	Hospital Pharmaceutical Consulting	0	11,520	15,295	15,295	0.0009%
44	Humana, Inc.	0	900,720	1,195,866	1,195,866	0.0688%
45	Hy-Vee	0	141,120	187,362	187,362	0.0108%
46	Independent Pharmacy Cooperative	0	107,640	142,911	142,911	0.0082%
47	J M Smith Corporation	5,607,800	0	0	5,607,800	0.3224%
48	J.M. Blanco, Inc.	432,720	0	0	432,720	0.0249%
49	Keysource	0	7,732,800	10,266,667	10,266,667	0.5902%
50	Kinney Drugs, Inc.	0	187,200	248,541	248,541	0.0143%
51	Kroger	0	83,484,000	110,839,858	110,839,858	6.3724%
52	K-VA-T Food Stores	0	54,000	71,695	71,695	0.0041%
53	Louisiana Wholesale Drug Co.	0	2,930,040	3,890,149	3,890,149	0.2237%

Table 2: Nexium and Generic Esomeprazole Magnesium DPP Share of Settlement Based on Pills Sold

From May 27, 2014 through December 31, 2015

	Customer Name	Brand Pills	Generic Pills	Weighted Generic Pills	Total Weighted Pills	Share of Total Weighted Pills (%)
54	Masters Pharmaceutical	0	200,280	265,907	265,907	0.0153%
55	McKesson Corporation	354,877,940	95,040,840	126,183,619	481,061,559	
	Meijer Assignment	981,540	474,140	629,505	1,611,045	
	McKesson Net of Assignments	353,896,400	94,566,700	125,554,114	479,450,514	27.5645%
56	Medvantx Pharmacy Services	0	32,400	43,017	43,017	0.0025%
57	Meijer (McKesson Assignment)	981,540	474,140	629,505	1,611,045	0.0926%
58	Miami-Luken, Inc.	662,760	433,800	575,947	1,238,707	0.0712%
59	Morris & Dickson Co.	15,583,840	2,508,480	3,330,453	18,914,293	1.0874%
60	Mutual Drug	6,933,720	1,089,000	1,445,841	8,379,561	0.4818%
61	Northwest Generics	0	37,800	50,186	50,186	0.0029%
62	OptumRX	0	3,051,000	4,050,745	4,050,745	0.2329%
63	Osborn Drugs, Inc.	0	32,400	43,017	43,017	0.0025%
64	PBA Health	602,280	132,480	175,891	778,171	0.0447%
65	Pharmscript	0	129,600	172,067	172,067	0.0099%
66	Prescription Supply, Inc. (PSI)	99,120	573,120	760,919	860,039	0.0494%
67	Price Chopper Supermarkets	0	75,600	100,372	100,372	0.0058%
68	Prime Therapeutics	0	1,635,600	2,171,550	2,171,550	0.1248%
69	PriMed Pharmaceuticals	0	18,360	24,376	24,376	0.0014%
70	Publix Super Markets	0	1,494,000	1,983,551	1,983,551	0.1140%
71	QK Healthcare	0	17,280	22,942	22,942	0.0013%
72	Quest Pharmaceuticals, Inc.	0	1,866,960	2,478,721	2,478,721	0.1425%
73	R&S Northeast	26,280	1,800	2,390	28,670	0.0016%
74	Raley's Supermarkets	0	43,920	58,312	58,312	0.0034%
75	Richie Pharmacal Company	0	2,521,080	3,347,182	3,347,182	0.1924%
76	Rochester Drug Cooperative	3,751,040	1,593,960	2,116,265	5,867,305	0.3373%
77	Rx Outreach	0	604,800	802,980	802,980	0.0462%
78	Schnuck Markets, Inc.	0	291,600	387,151	387,151	0.0223%
79	Smith Drug Company	5,752,680	8,532,760	11,328,757	17,081,437	0.9820%
80	SuperValu, Inc.	0	4,397,400	5,838,331	5,838,331	0.3357%
81	The Harvard Drug Group	0	109,800	145,779	145,779	0.0084%
82	Thrifty White Pharmacy	0	465,840	618,485	618,485	0.0356%
83	Top RX	0	5,495,400	7,296,121	7,296,121	0.4195%
84	Tops Holding	0	77,760	103,240	103,240	0.0059%
85	Valley Wholesale Drug Co.	78,480	102,600	136,220	214,700	0.0123%
86	Value Drug Co.	2,272,920	2,311,200	3,068,529	5,341,449	0.3071%
87	Wakefern Food Corporation	0	234,720	311,633	311,633	0.0179%
88	Walmart, Inc.	0	12,117,240	16,087,791	16,087,791	0.9249%
89	Weis Markets, Inc.	0	101,520	134,786	134,786	0.0077%
90	Westminster Pharmaceuticals	0	1,440	1,912	1,912	0.0001%
91	Wholesalers Group, Inc.	59,400	0	0	59,400	0.0034%
92	Winn-Dixie Stores, Inc.	0	13,608,000	18,067,040	18,067,040	1.0387%
	Total	1,023,681,310	539,059,920	715,697,921	1,739,379,231	100%

Source: manufacturer transactional sales data.

Table 3: Valcyte and Generic Valganciclovir DPP Share of Settlement Based on Pills Sold

Through February 29, 2016; Valcyte sales begin August 1, 2014.

	Customer Name	Brand Pills Adjusted for No Brand-Brand			Total		Share of Total Weighted Pills (%)
		Brand Pills	Damages	Generic Pills	Weighted Generic Pills	Weighted Pills	
1	American Health Packaging	0	0	15,703,200	2,451,729	2,451,729	4.8332%
2	AmerisourceBergen Corporation	1,583,280	676,586	175,607,280	27,417,433	28,094,019	55.3834%
3	Anda, Inc.	0	0	4,579,200	714,947	714,947	1.4094%
4	Auburn Pharmaceutical	0	0	626,400	97,799	97,799	0.1928%
5	Bellco Drug Corporation	0	0	3,780,000	590,169	590,169	1.1634%
6	BioRidge Pharma	0	0	5,810,400	907,173	907,173	1.7884%
7	Bloodworth Wholesale Drugs	0	0	43,200	6,745	6,745	0.0133%
8	Burlington Drug Company	420	179	86,400	13,490	13,669	0.0269%
9	Cardinal Health	1,281,960	547,822	24,359,545	3,803,238	4,351,060	8.5775%
10	Cigna	0	0	3,283,200	512,604	512,604	1.0105%
11	Dakota Drug, Inc.	7,920	3,384	432,000	67,448	70,832	0.1396%
12	Drogueria Betances	0	0	1,166,400	182,109	182,109	0.3590%
13	Express Scripts	0	0	11,707,200	1,827,836	1,827,836	3.6033%
14	Genetco, Inc.	0	0	172,800	26,979	26,979	0.0532%
15	H.D. Smith	85,560	36,563	4,449,600	694,713	731,275	1.4416%
16	Independent Pharmacy Cooperative	0	0	583,200	91,055	91,055	0.1795%
17	J.M. Blanco, Inc.	0	0	2,520	393	393	0.0008%
18	Kaiser Permanente	0	0	604,800	94,427	94,427	0.1861%
19	Keysource	0	0	885,600	138,268	138,268	0.2726%
20	Kinney Drugs, Inc.	0	0	6,120	956	956	0.0019%
21	Kroger	0	0	7,603,200	1,187,082	1,187,082	2.3402%
22	Louisiana Wholesale Drug Co.	0	0	194,400	30,352	30,352	0.0598%
23	McKesson Corporation	2,071,140	885,064	30,150,720	4,707,409	5,592,473	
	Meijer Assignment	6,780	2,897	20,700	3,232	6,129	
	McKesson Net of Assignments	2,064,360	882,167	30,130,020	4,704,177	5,586,344	11.0127%
24	Meijer (McKesson Assignment)	6,780	2,897	20,700	3,232	6,129	0.0121%
25	Miami-Luken, Inc.	1,260	538	64,800	10,117	10,656	0.0210%
26	Morris & Dickson Co.	182,760	78,099	52,920	8,262	86,362	0.1702%
27	Mutual Drug	3,960	1,692	734,400	114,661	116,354	0.2294%
28	Omnicare, Inc.	0	0	1,123,200	175,364	175,364	0.3457%
29	Parmed Pharmaceuticals	0	0	7,560	1,180	1,180	0.0023%
30	PBA Health	0	0	432,000	67,448	67,448	0.1330%
31	Publix Super Markets	0	0	2,160,000	337,239	337,239	0.6648%
32	Quest Pharmaceuticals, Inc.	0	0	259,200	40,469	40,469	0.0798%
33	Rochester Drug Cooperative	33,840	14,461	2,311,200	360,846	375,307	0.7399%
34	Rx Solutions	0	0	5,011,200	782,395	782,395	1.5424%
35	Schnuck Markets, Inc.	0	0	1,512,000	236,067	236,067	0.4654%
36	Smith Drug Company	20,880	8,923	1,274,400	198,971	207,894	0.4098%
37	The Harvard Drug Group	0	0	151,200	23,607	23,607	0.0465%
38	Top RX	0	0	367,200	57,331	57,331	0.1130%
39	Total Care RX, Inc.	0	0	2,635,200	411,432	411,432	0.8111%
40	Value Drug Co.	5,760	2,461	518,400	80,937	83,399	0.1644%
Total		5,278,740	2,255,773	310,452,265	48,470,679	50,726,452	100%

Source: manufacturer transactional sales data.